

Appl. No. 10/748,881
Amdt. Dated January 9, 2006
Reply to Office Action of June 29, 2005

Docket No. CE11883JSW

Drawings:

A revised FIG. 1, with appropriate legends in the boxes, is submitted herewith for approval.

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Claim Status

Claims 1, 7, and 20 have been rewritten. Claim 5 has been cancelled. The subject matter of claim 5 has been added to independent claims 1, 7, and 20. Claims 1-4, and 6-25 remain in the application.

REMARKS/ARGUMENTS

Claims 1-13, and 16-25 were rejected under 35 USC 102(b) over Bottan et al (US pub. no. 2002/0042846).

With regard to claim 5, the Rejection asserted that Bottan showed Applicant's claim limitation of verifying that the at least one at least one emergency contact received the notification, followed by re-notifying the at least one emergency contact when verification is not received that the at least one emergency contact receive the notification. The Rejection points to Bottan at page 7, section [0159] as showing Applicant's claim limitation as recited in claim 5 of verifying and re-notifying if no verification is received. Applicant has carefully read the cited section of Bottan, and does not find these limitations. What is taught in Bottan at [0159] is that, for example, a subscriber to the notification service may specify ways in which contacts may be contacted, such as email, fax, or regular mail. The section goes on to describe how a priority of notification may be followed, such as notifying a doctor first. In the Rejection, Examiner does not elaborate with regard to claim 5 what Bottan discloses the Examiner considers to be the same as Applicant's claimed limitation. As Applicant is unable to find an equivalent limitation, Applicant believes the subject matter of Applicant's claim 5 is not disclosed by Bottan, and therefore Bottan does not anticipate claim 5. Applicant has amended the claims by adding the subject matter of claim 5 to all pending independent claims. Accordingly, Applicant believes all pending independent claims are allowable over Bottan.

Claims 14 and 15 were rejected under 35 USC 103(a) as being obvious over Bottan.

Applicant notes these claims are dependent on claim 7, ultimately. As Applicant now regards claim 7 as Allowable over Bottan, Applicant likewise believes these claims are allowable as well.

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In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

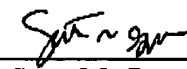
The Commissioner is hereby authorized to charge any fee due, or credit any overpayment, to Motorola, Inc., Deposit Account Number 50-2117.

Respectfully submitted,

SEND CORRESPONDENCE TO:

Motorola, Inc.
Law Department - MD 1610
8000 W. Sunrise Blvd.
Plantation, FL 33322
Customer Number: 24,273

By: _____



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